

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Black et al.	Attorney Docket No.	BING-1-1046
Serial No.:	not yet assigned	Group Art Unit:	not yet assigned
Filing Date:	November 20, 2003	Examiner:	not yet assigned
Title:	COMPONENT HEALTH ASSESSMENT FOR RECONFIGURABLE CONTROL		

**COMBINED DECLARATION AND POWER OF ATTORNEY
IN PATENT APPLICATION**

As the inventors of the invention disclosed in the patent application entitled COMPONENT HEALTH ASSESSMENT FOR RECONFIGURABLE CONTROL, we each hereby declare as follows:

Our residences, post office addresses and citizenship are: [List inventors in inventor order.]

Scott E. Black
1704 Biscay
Godfrey, IL 62035
US Citizen

Dr. Kirby J. Keller
120 Ridgecrest Dr.
Chesterfield, MO 63017
US Citizen

Kevin Swearingen
#6 Country Club Arces
St. Charles, MO 63303
US Citizen

I believe that we are the original, first and sole inventors of the subject matter that is claimed and for which a patent is sought on the invention entitled COMPONENT HEALTH ASSESSMENT FOR RECONFIGURABLE CONTROL, the specification of which is attached to this declaration.

I have reviewed and understand the contents of the above-identified patent application, including the claims.

I acknowledge the duty to disclose information, which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international

application which designated at least one country other than the United States of America, for the application(s) listed below. I have also identified below any foreign application(s) for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed: NONE

I hereby claim the benefit under 35 U.S.C. 119(e) of the following United States provisional application(s): NONE

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information that is material to patentability as defined 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application: NONE

I hereby appoint the following attorneys and agents to prosecute this application and to transact all related business in the Patent and Trademark Office: William C. Anderson, PTO Reg. No. 28,147; Harry B. Field, PTO Reg. No. 27,880; Terje Gudmestad, PTO Reg. No. 32,232; John C. Hammar, PTO Reg. No. 29,928; Henry G. Kohlmann, PTO Reg. No. 26,672; Bryan C. Ogden, PTO Reg. No. 25,362; Charles T. Silberberg, PTO Reg. No. 26,584; David J. Clement, PTO Reg. No. 44,082; Ann K. Galbraith, PTO Reg. No. 33,530; Robert L. Gullette, PTO Reg. No. 26,899; Thomas W. Hennen, PTO Reg. No. 27,798; Lawrence W. Nelson, PTO Reg. No. 34,684; John R. Rafter, PTO Reg. No. 28,533; James P. Hamley, PTO Reg. No. 28,081; Nicholas T. Bauz, PTO Reg. No. 41,604; Richard T. Black, PTO Reg. No. 40,514; David A. Lowe, PTO Reg. No. 39,281; Lawrence D. Graham, PTO Reg. No. 40,001; Mark L. Lorbiecki, PTO Reg. No. 45,643; Michael S. Smith, PTO Reg. No. 39,563; Robert R. Richardson, PTO Reg. No. 40,143; Mark S. Beaufait, PTO Reg. No. 48,529; Mark D. Byrne, PTO Reg. No. 50,125; H. Albert Richardson, PTO Reg. No. 27,701, Frank J. Bozzo, PTO

Reg. No. 36,756; Dale C. Barr, PTO Reg. No. 40,498; Darren J. Jones, PTO Reg. No. 36,175; Paul Cullom, PTO Reg. No. 25,580 and all registered patent attorneys and registered patent agents of the Law Firm of Black Lowe & Graham^{PLLC}.

Direct all communications to:

Dale C. Barr, Esq.
BLACK LOWE & GRAHAM^{PLLC}
816 Second Avenue
Seattle, Washington 98104
Direct Dial: 206.957.2463
Facsimile: 206.381.3301
Email: dale.barr@blacklaw.com

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

11/20/03
Date

Scott E. Black
Scott E. Black

Date

Dr. Kirby J. Keller

Date

Kevin Swearingen

Reg. No. 36,756; Dale C. Barr, PTO Reg. No. 40,498; Darren J. Jones, PTO Reg. No. 36,175; Paul Cullom, PTO Reg. No. 25,580 and all registered patent attorneys and registered patent agents of the Law Firm of Black Lowe & Graham^{PLLC}.

Direct all communications to:

Dale C. Barr, Esq.
BLACK LOWE & GRAHAM^{PLLC}
816 Second Avenue
Seattle, Washington 98104
Direct Dial: 206.957.2463
Facsimile: 206.381.3301
Email: dale.barr@blacklaw.com

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date

11/20/03
Date

Date

Scott E. Black

[Signature]
Dr. Kirby J. Keller

Kevin Swearingen

Reg. No. 36,756; Dale C. Barr, PTO Reg. No. 40,498; Darren J. Jones, PTO Reg. No. 36,175; Paul Cullom, PTO Reg. No. 25,580 and all registered patent attorneys and registered patent agents of the Law Firm of Black Lowe & Graham^{PLLC}.

Direct all communications to:

Dale C. Barr, Esq.
BLACK LOWE & GRAHAM^{PLLC}
816 Second Avenue
Seattle, Washington 98104
Direct Dial: 206.957.2463
Facsimile: 206.381.3301
Email: dale.barr@blacklaw.com

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date

Date

11/20/03

Date

Scott E. Black

Dr. Kirby J. Keller

Kevin Swearingen
Kevin Swearingen